

**Department of Health and Human Services
Food and Drug Administration**

Data Posted Pursuant to the No Fear Act (Public Law No. 107-174, Title III, Sec 301 (2002))						
	1st Quarter FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
(1) Total number of EEO complaints	72	131	110	98	147	155
(2) Total number of individuals filing EEO complaints	9	44	43	25	49	55
(3) Total number of individual filing more than one EEO complaint	0	0	2	6	0	0
(4) The number of complaints alleging discrimination on the basis of:						
a. Race	10	44	36	19	25	34
b. Color	1	0	6	3	0	0
c. Sex/Male	2	8	8	4	11	12
d. Sex/Female	6	10	12	7	11	4
e. Religion	2	0	2	0	1	2
f. National Origin	4	3	3	1	12	14
g. Age	4	11	21	9	12	5
h. Disability	2	8	18	1	5	2
i. Retaliation	13	20	47	22	23	31
(5) Number of EEO complaints challenging						
a. Appointment/Hire	2	0	1	0	1	3
b. Assignment of Duties	2	2	2	16	0	4
c. Awards	0	2	2	7	8	4
d. Conversion to Full Time	0	0	0	0	14	0
e. Disciplinary Action:	4	5	15	10	28	25
(i) Demotion	1	1	1	0	0	1
(ii) Reprimand	1	2	3	6	2	4
(iii) Suspension	2	2	3	2	12	20
(iv) Removal	0	0	8	2	14	0
f. Duty Hours	0	1	0	0	1	3
g. Evaluation/Appraisal	0	4	5	11	1	6
h. Examination/Test	0	0	0	0	12	0
i. Harassment	4	11	9	18	14	18
(i) Non-Sexual	4	11	8	18	14	18
(ii) Sexual	0	0	1	0	0	0
j. Medical Examination	0	0	0	0	0	0
(k) Pay Including Overtime	0	0	0	0	9	7
l. Promotion/Non-Selection	7	12	15	7	23	21
m. Reassignment:	0	2	0	5	13	14
(i) Denied	0	1	0	5	11	14
(ii) Directed	0	1	0	0	2	0

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n. Reasonable Accommodation	0	1	0	3	5	2
o. Reinstatement	0	0	0	0	0	0
p. Retirement	0	0	0	0	1	0
q. Termination	1	12	0	2	0	0
r. Terms/Conditions of Employment	1	2	13	9	23	17
s. Time & Attendance	0	2	4	2	8	4
t. Training	1	2	4	3	4	3
u. Other	0	0	0	0	7	0
(6) Average length of time (in days) taken to:						
a. Fully investigate a formal complaint	N/A	136.29	145	164	336.15	233
b. Issue a final decision when no EEOC hearing is requested	5,649	5,649	717.15	1,032	0.00	907
c. Issue a final decision when an EEOC hearing is requested.	19,466	19,466	22,401	18,765	0	1,554.78
(7) Total number of final FDA actions of that number:	2	72	46	15	0	15
(i) Number rendered without a hearing before EEOC Administrative Judge.	2	23	29	15	0	6
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	100%	32.00%	63%	100%	0%	40%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	21	17	0	0	9
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	29.00%	59%	0%	0%	60%
The number finding:						
a. Racial Discrimination	0	0	0	0	0	0
hearing before EEOC	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0

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(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
b. Color Discrimination	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0%	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0%	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
c. Sex/Male Discrimination	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
d. Sex/Female Discrimination	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%

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e. Religious Discrimination	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
f. National Origin Discrimination	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
g. Age Discrimination	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
h. Disability Discrimination	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0

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(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
i. Retaliation for previous activity	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
9. Total Number of final FDA actions involving a finding of inappropriate:	0	0	0	0	0	0
a. Appointment/Hire	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
b. Assignment of Duties	0	0	0	0	0	0
of this number:						
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0

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(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
c. Awards of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
d. Conversion to Full Time of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
e. Disciplinary Action	0	0	0	0	0	0
(i) Demotion of this number:	0	0	0	0	0	0

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(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(ii) Reprimand of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Suspension of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iv) Removal of this number:	0	0	0	0	0	0

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(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
f. Duty Hours of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
g. Evaluation/Appraisal of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
h. Examination/Test of this number:	0	0	0	0	0	0

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(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
i. Harassment	0	0	0	0	0	0
Non-Sexual						
of this number:						
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
Sexual	0	0	0	0	0	0
of this number:						
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%

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j. Medical Examination	0	0	0	0	0	0
of this number:						
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
k. Pay including overtime	0	0	0	0	0	0
of this number:						
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
l. Promotion/Non-selection	0	0	0	0	0	0
of this number:						
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0

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(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
m. Reassignment of this number:	0	0	0	0	0	0
(i) Denied	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(ii) Directed	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
n. Reasonable Accommodation of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%

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(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
o. Reinstatement of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
p. Retirement of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
q. Termination of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%

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(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
r. Terms/Conditions of Employment of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
Time & Attendance of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
t. Training of this number:	0	0	0	0	0	0
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%

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(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
u. Other	0	0	0	0	0	0
of this number:						
(i) Number rendered without a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(ii) Percentage rendered without a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(iii) Number rendered after a hearing before EEOC Administrative Judge.	0	0	0	0	0	0
(iv) Percentage rendered after a hearing before EEOC Administrative Judge.	0%	0%	0%	0%	0%	0%
(10) Of complaints pending from previous fiscal year(s)	59	59	67	73	98	100
a. Total Number						
of this number:						
b. (i) total number of individuals filing the complaints	59	59	41	25	71	55
b. (ii) Number of complaints at the following stages of the complaint process:						
b. (i) Pending written notification	10	4	2	19	19	15
b. (ii) pending in investigation	23	19	21	20	20	21
b. (iii) pending in hearings	34	25	38	59	51	67
b. (iv) pending a final agency decision	12	11	26	41	43	52

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c Of all active complaints in fiscal year (whether pending from previous year(s) or filed in current year), total number of complaints in which FDA failed to conduct an investigation within 180 days.	18	11	0	0	3	12